

# EXHIBIT G

Transcript of Howard Myatt  
Conducted on March 28, 2018

1 (1 to 4)

<p style="text-align: center;">1</p> <p>IN THE UNITED STATES DISTRICT COURT OR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION</p> <p style="text-align: center;">x</p> <p>UNITED STATES EQUAL : EMPLOYMENT OPPORTUNITY : COMMISSION, : Civil Action No. Plaintiff, : : 7 cv 084 v. : (AJT/J A) CAMBER CORPORATION, Defendant.</p> <p style="text-align: center;">x</p> <p>Deposition of HOWARD MYATT McLean, Virginia Wednesday, March 28, 2018 9:25 a.m.</p> <p>Job No.: 79323 Pages: 7 Reported By: Janice Jones, RPR, CLR</p> <p style="text-align: center;">2</p> <p>Deposition of HOWARD MYATT, held at the offices of:</p> <p>Planet Depos Tysons Corner 8720 Greensboro Drive Suite 0 McLean, Virginia 2202 888.433.3767</p> <p>Pursuant to notice, before Janice Jones, RPR, CLR, Notary Public in and for the Commonwealth of Virginia.</p>	<p style="text-align: center;">3</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>ON BEHALF OF PLAINTIFF:</p> <p>ROBERT STERN, ESQUIRE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PHILADELPHIA 80 Market Street Suite 300 Philadelphia, Pennsylvania 19107 215.440.2868</p> <p>ON BEHALF OF DEFENDANT:</p> <p>ROBERT ORTBALS, JR., ESQUIRE CONSTANGY BROOKS, SMITH &amp; PROPHETE, LLP 7733 Orsyth Boulevard Suite 325 St. Louis, Missouri 63105 314.925.7270</p> <p style="text-align: center;">4</p> <p style="text-align: center;">A P P E A R A N C E S C O N T I N U E D</p> <p>ON BEHALF OF EXECUTIVE OF ICE OR IMMIGRATION REVIEW:</p> <p>MARIA N. COLEMAN, ESQUIRE OF ICE OF THE GENERAL COUNSEL EXECUTIVE OF ICE OR IMMIGRATION REVIEW ASSOCIATE GENERAL COUNSEL EMPLOYEE AND LABOR RELATIONS UNIT 507 Leesburg Pike alls Church, Virginia 2204 703.756.8426</p>
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2 (5 to 8)

<p style="text-align: center;">INDEX</p> <p style="text-align: right;">Page</p> <p>By Mr. Stern 7</p> <p>By Mr. Ortvals 0</p> <p style="text-align: center;">EXHIBITS</p> <p style="text-align: right;">Page</p> <p>Exhibit Subpoena to Produce Documents Information, or Objects or to Permit Inspection of Premises in A Civil Action 6</p> <p>Exhibit 2 Letter March 23, 20 8 U.S. Department of Justice 6</p> <p>Exhibit 3 Schedule B 6</p> <p>Exhibit 4 E mail Chain September 9, 20 4 6</p> <p>Exhibit 5 E mail October , 20 4 6</p> <p>Exhibit 6 Letter October 7, 20 4 6</p> <p>Exhibit 7 Statement of Work 6</p>	<p style="text-align: right;">7</p> <p>1 address you just recited?</p> <p>2 <b>A Correct.</b></p> <p>3 Q With respect to Camber Corporation, the</p> <p>4 defendant in this case, what position do you have?</p> <p>5 <b>A I was the contracting officer</b></p> <p>6 <b>representative for that contract, and I am the</b></p> <p>7 <b>applications development chief for OIT.</b></p> <p>8 Q That is sometimes called or referred to as</p> <p>9 COTR, C-O-T-R?</p> <p>10 <b>A It used to be. They changed the name a few</b></p> <p>11 <b>years back.</b></p> <p>12 Q What is the acronym now?</p> <p>13 <b>A Contracting officer representative. They</b></p> <p>14 <b>just got rid of the "technical."</b></p> <p>15 Q Did you have any role on that contract</p> <p>16 under a predecessor company?</p> <p>17 <b>A Camber bought out Avaya and inherited</b></p> <p>18 <b>Avaya's contract and contract team.</b></p> <p>19 Q You were COTR for the contract when it was</p> <p>20 under Avaya, too?</p> <p>21 <b>A Correct.</b></p> <p>22 Q When did you start being the COTR on the</p>
<p style="text-align: right;">6</p> <p>1 <b>PROCEEDINGS</b></p> <p>2 <b>THEREUPON,</b></p> <p>3 <b>HOWARD MYATT,</b></p> <p>4 <b>called as a witness on behalf of the Plaintiff and,</b></p> <p>5 <b>after first having been duly sworn or affirmed, was</b></p> <p>6 <b>examined and testified as follows:</b></p> <p>7 <b>(Thereupon, Deposition Myatt Exhibit</b></p> <p>8 <b>Numbers 1 through 7 were marked for identification.)</b></p> <p>9 <b>DIRECT EXAMINATION</b></p> <p>10 <b>BY MR. STERN:</b></p> <p>11 Q Good morning. Could you please state your</p> <p>12 name and business address for the record?</p> <p>13 <b>A Howard Myatt, and business address would be</b></p> <p>14 <b>5170 (sic), Leesburg Pike, Falls Church, Virginia.</b></p> <p>15 Q I'm Jeffrey Stern. I'm the attorney for</p> <p>16 plaintiff, EEOC, in this case.</p> <p>17 You are working for what employer? Who is</p> <p>18 your employer?</p> <p>19 <b>A I work for the Office of Information</b></p> <p>20 <b>Technology for the Executive Office of Immigration</b></p> <p>21 <b>Review -- for Immigration Review, sorry.</b></p> <p>22 Q And your workstation was the business</p>	<p style="text-align: right;">8</p> <p>1 Avaya contract?</p> <p>2 <b>A The middle of 2011.</b></p> <p>3 Q You remained the COTR -- what is that</p> <p>4 acronym?</p> <p>5 <b>A COR.</b></p> <p>6 Q COR, until when?</p> <p>7 <b>A Until the contract concluded, which would</b></p> <p>8 <b>have been July 30, 2016.</b></p> <p>9 Q What was the gist of the contract service</p> <p>10 that had been provided by Camber?</p> <p>11 <b>A Camber was providing IT services on site</b></p> <p>12 <b>for the purposes of maintaining, modifying and building</b></p> <p>13 <b>new applications for the Executive Office for</b></p> <p>14 <b>Immigration Review.</b></p> <p>15 Q Was that the same and also true with</p> <p>16 respect to Avaya?</p> <p>17 <b>A Yes, it was. Same -- same statement of</b></p> <p>18 <b>work.</b></p> <p>19 Q You indicated the contract with Camber</p> <p>20 expired in January 2017?</p> <p>21 <b>A 2016, sir.</b></p> <p>22 Q 2016. Was there a successor contract for</p>

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5 (17 to 20)

<p style="text-align: right;">7</p> <p>1     <b>A     Typically, we held them about 3:00 p.m.</b></p> <p>2     Q     There are three attachments listed on</p> <p>3     the --</p> <p>4     <b>A     Yes, sir.</b></p> <p>5     Q     -- e-mail on Page 1 to Exhibit 4. One is</p> <p>6     an IT budget. It says, "FY," fiscal year 2014?</p> <p>7     <b>A     Correct.</b></p> <p>8     Q     Then the next one says, "v20."</p> <p>9     What is the "v"?</p> <p>10    <b>A     That was, I believe, the organization chart</b></p> <p>11 <b>for the contractor.</b></p> <p>12    Q     Directing your attention to the three</p> <p>13 attachments listed on that page, the one I am</p> <p>14 discussing, it says, "xls."</p> <p>15         That is the spreadsheet?</p> <p>16    <b>A     Yes, that would be the budget spreadsheet.</b></p> <p>17    Q     The bottom item says, "DOJ EOIR org."</p> <p>18         Do you understand when I say, EOIR org," I</p> <p>19 mean E-O-I-R?</p> <p>20    <b>A     EOIR, just like the character.</b></p> <p>21    Q     From the book?</p> <p>22    <b>A     Yes.</b></p>	<p style="text-align: right;">9</p> <p>1     Q     Same thing for the next item that is "Org</p> <p>2 Chart Version 18"?</p> <p>3     <b>A     Yes.</b></p> <p>4     Q     That is referencing those attachments?</p> <p>5     <b>A     That referencing the two other attachments,</b></p> <p>6 <b>yes, sir.</b></p> <p>7     Q     Then the "Staffing" topic is populated by a</p> <p>8 number of filled-in bullet points. Yes?</p> <p>9     <b>A     Yes, sir.</b></p> <p>10    Q     This is the first instance of a DCIO that</p> <p>11 you found that mentioned Ashok Pai?</p> <p>12    <b>A     Yes, it is.</b></p> <p>13    Q     Who was Ashok Pai?</p> <p>14    <b>A     He was a DotNetSharePoint developer</b></p> <p>15 <b>employed by Camber on this contract.</b></p> <p>16    Q     What does that mean?</p> <p>17         What is the DotNetSharePoint? What are</p> <p>18 those things?</p> <p>19    <b>A     SharePoint is a document management and</b></p> <p>20 <b>content management platform that is marketed by</b></p> <p>21 <b>Microsoft. EOIR uses this as one of its application</b></p> <p>22 <b>platforms.</b></p>
<p style="text-align: right;">8</p> <p>1     Q     Understand. "EOIR ORG STRUCTURE, FY 18."</p> <p>2     <b>A     That would be the org chart. That would be</b></p> <p>3 <b>a Vizio diagram.</b></p> <p>4     Q     A graphic?</p> <p>5     <b>A     Yes.</b></p> <p>6     Q     And the middle one, what is that?</p> <p>7     <b>A     The one that begins with "DCIO-PM" would be</b></p> <p>8 <b>the agenda for the meeting. That would be the items</b></p> <p>9 <b>that Atif planned to make us aware of.</b></p> <p>10    Q     Then the second page of this exhibit --</p> <p>11    <b>A     (Indicating.)</b></p> <p>12    Q     -- that was the PM for 09/09/14 DCIO that</p> <p>13 you have just referenced?</p> <p>14    <b>A     Yes, sir.</b></p> <p>15    Q     There were a variety of topics that were</p> <p>16 listed with little circles, and then bullet points</p> <p>17 underneath various ones.</p> <p>18    <b>A     Yes.</b></p> <p>19    Q     The first one says, "FY Budget ver 20."</p> <p>20         Is that version 20, the first bullet item</p> <p>21 under administration?</p> <p>22    <b>A     Yes.</b></p>	<p style="text-align: right;">20</p> <p>1         <b>DotNet is a software development framework</b></p> <p>2 <b>also marketed by Microsoft. We use that for building</b></p> <p>3 <b>custom applications.</b></p> <p>4     Q     Was the description you just gave regarding</p> <p>5 Ashok Pai's position, was that true during your entire</p> <p>6 tenure as a PM until he separated?</p> <p>7     <b>A     Yes, sir. That was the development team he</b></p> <p>8 <b>was on.</b></p> <p>9     Q     Returning to the "Staffing," first bullet</p> <p>10 point Exhibit --</p> <p>11    <b>A     (Indicating.)</b></p> <p>12    Q     -- 4, Page 2 of your deposition, the topic</p> <p>13 there says, "Resignations - Ashok Pai," and there is a</p> <p>14 parenthetical, "(10/31/14)."</p> <p>15         That was a topic that was brought to your</p> <p>16 attention in the DCIO PM weekly?</p> <p>17    <b>A     Yes, sir.</b></p> <p>18    Q     Was the resignation of Ashok Pai that is</p> <p>19 bullet-pointed, was this brought to your attention</p> <p>20 before then?</p> <p>21    <b>A     No, this was the first notice we had that</b></p> <p>22 <b>he had resigned.</b></p>

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8 (29 to 32)

29	<p>1 backfill. Interviewing candidates."</p> <p>2 What is "DotNet DEV"? What does that mean?</p> <p>3 <b>A That would be somebody who is developing</b></p> <p>4 <b>applications using Microsoft's DotNet framework and the</b></p> <p>5 <b>language of choice we use is called C#.</b></p> <p>6 Q Srin, like Hang, is someone who had</p> <p>7 previously done that work and had left?</p> <p>8 <b>A Correct.</b></p> <p>9 Q Status report underneath that is what?</p> <p>10 <b>A Are you referring to the "interviewing</b></p> <p>11 <b>candidates," sir?</b></p> <p>12 Q Yes. That immediately follows --</p> <p>13 <b>A Yes.</b></p> <p>14 Q -- the DotNet DEV, Srin's backfill bullet</p> <p>15 point?</p> <p>16 <b>A Yes.</b></p> <p>17 Q What is that topic about?</p> <p>18 <b>A That would indicate that Camber would</b></p> <p>19 <b>currently be out interviewing and looking for a</b></p> <p>20 <b>replacement.</b></p> <p>21 Q What is the third bullet point in the DCIO</p> <p>22 for the September 9th weekly meeting, Page 2 of this</p>	3
30	<p>1 exhibit?</p> <p>2 <b>A You would be referring to the</b></p> <p>3 <b>"DotNet/SharePoint DEV Ashok's backfill"?</b></p> <p>4 Q Correct.</p> <p>5 <b>A Yes.</b></p> <p>6 Q Compare and contrast the position</p> <p>7 "DotNet/SP DEV" to the DotNet DEV position for Srin's</p> <p>8 backfill.</p> <p>9 <b>A DotNet/SharePoint would have the same skill</b></p> <p>10 <b>sets as a DotNet developer with the addition of</b></p> <p>11 <b>knowledge of the SharePoint platform.</b></p> <p>12 Q The DotNet/SP DEV, that was to backfill</p> <p>13 Ashok is that the way you pronounce it?</p> <p>14 <b>A I think it was Ashok or Ashok. I can't</b></p> <p>15 <b>remember 100 percent.</b></p> <p>16 Q It's Mr. Pai?</p> <p>17 <b>A Mr. Pai.</b></p> <p>18 Q That was to backfill Mr. Pai?</p> <p>19 <b>A Correct.</b></p> <p>20 Q Whom you understood had resigned?</p> <p>21 <b>A Yes, sir.</b></p> <p>22 Q And the bullet point underneath that is</p>	32
31	<p>1 populated, "Opening req."</p> <p>2 What is that about?</p> <p>3 <b>A That would indicate that Camber was opening</b></p> <p>4 <b>a recruitment to go look for a new candidate.</b></p> <p>5 Q No discussion remarks under the "EOIR</p> <p>6 Security" bullet point on this agenda item?</p> <p>7 <b>A No, sir.</b></p> <p>8 Q Nor on "Programming"?</p> <p>9 <b>A None.</b></p> <p>10 Q Any discussion at the September 9th PM</p> <p>11 weekly meeting about the opening req or Ashok's</p> <p>12 backfill DotNet/SP DEV that we have been talking about?</p> <p>13 <b>A Probably. I don't remember the discussion,</b></p> <p>14 <b>but it would have been talked about because it's on the</b></p> <p>15 <b>agenda.</b></p> <p>16 Q Turning to the third page of this exhibit,</p> <p>17 it's another e-mail from Atif to you and others. This</p> <p>18 time it is about agenda for the weekly program review</p> <p>19 for the following week, September 16, 2014?</p> <p>20 <b>A Yes, sir.</b></p> <p>21 Q The page following is, in fact, the DCIO PM</p> <p>22 weekly agenda items for that meeting?</p>	3

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9 (33 to 36)

33	<p>1 status underneath the "Ashok's backfill" topic?</p> <p>2 <b>A "Interviewing candidates."</b></p> <p>3 Q Do you recall any discussion about that?</p> <p>4 <b>A No, sir.</b></p> <p>5 Q The page following is Atif's cover e-mail</p> <p>6 to you and others at EOIR regarding the September 23rd</p> <p>7 weekly meeting. Yeah?</p> <p>8 <b>A Yes, sir.</b></p> <p>9 Q The page following that is Atif's DCIO PM</p> <p>10 weekly that he circulated --</p> <p>11 <b>A Yes, sir.</b></p> <p>12 Q -- to you and others before that meeting?</p> <p>13 <b>A (Indicating.)</b></p> <p>14 Q Yes?</p> <p>15 <b>A Yes, sir.</b></p> <p>16 Q Do you recall you were provided as a</p> <p>17 general matter with hard copies of the agenda items by</p> <p>18 someone before these meetings?</p> <p>19 <b>A Yeah, they do hand out a hard copy of the</b></p> <p>20 <b>agenda at the meeting. I do not retain those because I</b></p> <p>21 <b>had the e-mails.</b></p> <p>22 Q When you would attend these meetings where</p>	35	<p>1 <b>who handled administrative tasks for Atif.</b></p> <p>2 Q Do you recall if she handed out the hard</p> <p>3 copies?</p> <p>4 <b>A I'm pretty certain she is probably the one</b></p> <p>5 <b>that made the hard copies.</b></p> <p>6 Q But she was not attending these meetings?</p> <p>7 <b>A No, sir.</b></p> <p>8 Q Returning to the September 23rd DCIO agenda</p> <p>9 item --</p> <p>10 <b>A Which one are we looking at again, sir?</b></p> <p>11 Q It is the DCIO attached to Atif's e-mail to</p> <p>12 you regarding the Tuesday, September 23rd --</p> <p>13 <b>A All right. I'm on the right one.</b></p> <p>14 Q It should be the sixth page of this --</p> <p>15 <b>A Got it.</b></p> <p>16 Q -- stapled collection.</p> <p>17 Under "Resignations," there are none noted?</p> <p>18 <b>A Correct.</b></p> <p>19 Q And departures and on-boarding, none noted?</p> <p>20 <b>A Correct.</b></p> <p>21 Q Some upcoming absences, key personnel?</p> <p>22 <b>A Yes.</b></p>
34	<p>1 they handed out the agenda items but you already had</p> <p>2 the e-mails, did you, like, bring your laptop with you</p> <p>3 or have it in the room, or were you working off pieces</p> <p>4 of paper?</p> <p>5 <b>A Once I had a tablet, I would work off the</b></p> <p>6 <b>tablet, but at the time these meetings were occurring,</b></p> <p>7 <b>it would have been just looking at the piece of paper.</b></p> <p>8 Q These meetings occurring, is that reference</p> <p>9 just to the three that we have discussed or rather all</p> <p>10 of the ones that you found responsive to the subpoena</p> <p>11 that are --</p> <p>12 <b>A All of them.</b></p> <p>13 Q All of the ones in this Exhibit 4 to your</p> <p>14 deposition?</p> <p>15 <b>A Yes, sir.</b></p> <p>16 Q Now, the cc recipient on the cover e-mails</p> <p>17 is listed as Debra Curtis --</p> <p>18 <b>A Yes.</b></p> <p>19 Q -- EOIR CTR.</p> <p>20 Who was Debra Curtis, and by that I mean,</p> <p>21 what was her role?</p> <p>22 <b>A Debra Curtis was an Avaya/Camber employee</b></p>	36	<p>1 Q Training. Do you recall what TOGAF</p> <p>2 architecture, what that is referring to, what that is</p> <p>3 about?</p> <p>4 <b>A I really can't remember. It was a training</b></p> <p>5 <b>class they wanted to send Joe Barbaretta to.</b></p> <p>6 Q Is this the same Joe Barbaretta listed in</p> <p>7 the first bullet point for an upcoming absence of --</p> <p>8 <b>A Correct.</b></p> <p>9 Q -- several days on the calendar dates</p> <p>10 issued there?</p> <p>11 <b>A Yes, sir.</b></p> <p>12 Q What, again, was his role on the project at</p> <p>13 that time, meaning in 2014?</p> <p>14 <b>A He was employed by Avaya/Camber as the</b></p> <p>15 <b>software architect.</b></p> <p>16 Q Risks and issues, that is not populated.</p> <p>17 It says, "None"?</p> <p>18 <b>A Yes, sir.</b></p> <p>19 Q Recruitment, hiring and on-board</p> <p>20 activities, there is one and only one reference on that</p> <p>21 page, and that is Ashok's backfill, one and one.</p> <p>22 That is the only reference to Ashok on the</p>

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16 (61 to 64)

6	<p>1 let me know when you are ready to discuss those</p> <p>2 "Contract or other provisions."</p> <p>3 <b>A Okay. I am ready to answer your question,</b></p> <p>4 <b>sir.</b></p> <p>5 Q Is Exhibit 7 to your deposition the</p> <p>6 collection of contract or other provisions described in</p> <p>7 Point Number four at the bottom of Page 2 of the</p> <p>8 attorney's cover letter?</p> <p>9 <b>A Yes. That is the Statement of Work for</b></p> <p>10 <b>this contract.</b></p> <p>11 Q Item Number 4 in the letter, which is the</p> <p>12 same as an item in the attachment to the subpoena,</p> <p>13 mentions Statement of Work regarding place of</p> <p>14 performance, exceptions or changes thereto.</p> <p>15 What provision or pages, if any, in this</p> <p>16 collection --</p> <p>17 <b>A Hang on a second. I believe that would be</b></p> <p>18 <b>Section 5.2 which outlines the place of performance.</b></p> <p>19 <b>It's on Page 67 of the Statement of Work.</b></p> <p>20 Q The place of performance provision in</p> <p>21 substance says that the principal places of performance</p> <p>22 is EOIR located at and then the Falls Church address?</p>	63	<p>1 Q The second document is the proposal</p> <p>2 beginning on, following on the footer, Page 79?</p> <p>3 <b>A Correct.</b></p> <p>4 Q Then beginning with Avaya's solutions going</p> <p>5 on from there.</p> <p>6 Where is that?</p> <p>7 <b>A I believe the labor categories start on</b></p> <p>8 <b>Page 13 of the proposal.</b></p> <p>9 Q And labor rates associated with those are</p> <p>10 on Page 15?</p> <p>11 <b>A Yes, sir, they are. Those would be the</b></p> <p>12 <b>rates that were in effect for the base year -- oh,</b></p> <p>13 <b>excuse me. They also have -- they also have the option</b></p> <p>14 <b>14 years on here, too.</b></p> <p>15 Q Those option years run through</p> <p>16 November 30th of 2012?</p> <p>17 <b>A That would be correct, sir.</b></p> <p>18 Q I think you had referenced earlier when we</p> <p>19 were discussing some of the entries on agendas or ISEs,</p> <p>20 I believe you described them as Information Systems</p> <p>21 Engineers, ISE?</p> <p>22 <b>A ISE is systems engineers. ISA would be</b></p>
62	<p>1 <b>A Correct. That would be EOIR headquarters.</b></p> <p>2 Q Or the contractor's facility located at</p> <p>3 TBD, to be determined?</p> <p>4 <b>A Correct.</b></p> <p>5 Q Then 5.2.1 lists EOIR's current immigration</p> <p>6 courts?</p> <p>7 <b>A Yes, sir.</b></p> <p>8 Q It looks like there is, what, 59 of those?</p> <p>9 <b>A At that time, yes.</b></p> <p>10 Q It would vary from time to time?</p> <p>11 <b>A Correct.</b></p> <p>12 Q Is there any provision in this exhibit</p> <p>13 regarding exceptions or changes to place of</p> <p>14 performance?</p> <p>15 <b>A No, sir.</b></p> <p>16 Q I believe you had mentioned or referred</p> <p>17 when we were discussing the ISA and ISE labor</p> <p>18 classifications that there was some reference in the</p> <p>19 contract or other provisions to that?</p> <p>20 <b>A Yes, sir, there is. That would be in</b></p> <p>21 <b>Avaya's proposal, which is the second document you have</b></p> <p>22 <b>here.</b></p>	64	<p>1 <b>systems analysts.</b></p> <p>2 Q On the labor rates, Page 15, I believe of</p> <p>3 the Avaya proposal document --</p> <p>4 <b>A (Indicating.)</b></p> <p>5 Q -- there is Information System Analyst 1, 2</p> <p>6 and 3 listed?</p> <p>7 <b>A Yes, sir.</b></p> <p>8 Q And there are four grades of ISEs,</p> <p>9 Information Systems Engineers?</p> <p>10 <b>A Yes, sir.</b></p> <p>11 Q In the labor category sheet for minimum</p> <p>12 general experience, functional responsibility and</p> <p>13 minimum education, those are depicted starting on Page</p> <p>14 13 of the Avaya proposal?</p> <p>15 <b>A Yes, sir, they are.</b></p> <p>16 Q And row number four, Information Systems</p> <p>17 Analyst 3, row number five, Information Systems Analyst</p> <p>18 2, and row number six, Information Systems Analyst 1</p> <p>19 are all depicted on Page 13?</p> <p>20 <b>A Correct, sir.</b></p> <p>21 Q The agenda items characterize the person</p> <p>22 selected to backfill Ashok's position as ISA3. Yes?</p>



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Conducted on March 28, 2018

17 (65 to 68)

65	<p>1 <b>A Let me verify.</b></p> <p>2 Q It's referenced as Saritha.</p> <p>3 <b>A Yeah. I just want to make sure I get it</b></p> <p>4 <b>right. ISA3 and ISE3 are easy to confuse.</b></p> <p>5 Q Sure.</p> <p>6 <b>A Yes, sir. It was an ISA3.</b></p> <p>7 Q Returning to the attorney's cover letter,</p> <p>8 Exhibit 2 to your deposition on Page 2, Exhibit 7, it</p> <p>9 was responsive to Item Number 4, the contract or other</p> <p>10 provisions regarding place of performance?</p> <p>11 <b>A Yes.</b></p> <p>12 Q And is it also responsive to Item 5,</p> <p>13 contract or other provisions regarding labor categories</p> <p>14 applicable to the work performed by Ashok Pai?</p> <p>15 <b>A Yes, sir, it is.</b></p> <p>16 Q Including ISA3 and ISA2?</p> <p>17 <b>A Yes, sir.</b></p> <p>18 Q Directing your attention to a document</p> <p>19 labeled Exhibit 3, "Schedule B, Declaration Certifying</p> <p>20 Authenticity of Records," it's a two-page document on</p> <p>21 two sides on one sheet of paper.</p> <p>22 Take a look at it, and we will talk about</p>	67	<p>1 and we will talk about that briefly.</p> <p>2 <b>A Okay.</b></p> <p>3 Q Have you seen the e-mail depicted in this</p> <p>4 exhibit before I handed it to you today?</p> <p>5 <b>A As part of this proceeding, no.</b></p> <p>6 Q All right. It is, though, an e-mail that</p> <p>7 you sent to Atif with a copy to your alternate COR --</p> <p>8 <b>A David Fruehwald.</b></p> <p>9 Q -- David Fruehwald on the "Subject:</p> <p>10 Replacement of Ashok Pai on Wednesday, October 1, 2014"</p> <p>11 at approximately 9:41 a.m?</p> <p>12 <b>A Yes, sir.</b></p> <p>13 Q And your salutation on it says, "Atif"?</p> <p>14 <b>A Yes, sir.</b></p> <p>15 Q That is Atif Khalil. Yes?</p> <p>16 <b>A Yes, sir.</b></p> <p>17 Q PM for Camber at that time?</p> <p>18 <b>A Correct, sir.</b></p> <p>19 Q "Please proceed with replacement of Ashok</p> <p>20 Pai from the DotNet team at the government's request,"</p> <p>21 period?</p> <p>22 <b>A (Indicating.)</b></p>
66	<p>1 it briefly.</p> <p>2 <b>A Yes, sir.</b></p> <p>3 Q That is your signature on the bottom of the</p> <p>4 second page?</p> <p>5 <b>A Yes, sir, it is.</b></p> <p>6 Q All right. Declaring that you have</p> <p>7 produced all records in your custody and control</p> <p>8 responsive to Plaintiff's request?</p> <p>9 <b>A Yes, sir.</b></p> <p>10 Q The records were made at or near the time</p> <p>11 of the occurrence of the matters set forth and so</p> <p>12 forth?</p> <p>13 <b>A Yes, sir.</b></p> <p>14 Q Dated March 23, 2018. Yes?</p> <p>15 <b>A Yes, sir.</b></p> <p>16 Q Last Friday?</p> <p>17 <b>A Last Friday.</b></p> <p>18 Q Next I'm going to direct your attention to</p> <p>19 a single-page document labeled Exhibit 5 Myatt with an</p> <p>20 EEOC production number 32 in the lower right-hand</p> <p>21 corner.</p> <p>22 Let me know when you are ready to discuss,</p>	68	<p>1 Q Yes?</p> <p>2 <b>A Yes, sir.</b></p> <p>3 Q All right. Had Atif discussed with you</p> <p>4 making this request?</p> <p>5 <b>A I really don't recall. Maybe.</b></p> <p>6 Q Do you recall why you wrote this e-mail on</p> <p>7 that day?</p> <p>8 <b>A Not 100 percent. I believe they requested</b></p> <p>9 <b>confirmation that we were going to backfill the</b></p> <p>10 <b>position.</b></p> <p>11 Q "They" meaning Camber?</p> <p>12 <b>A That would be Camber, yes, sir.</b></p> <p>13 Q You had previously described in general</p> <p>14 terms the documentary procedure that would have to be</p> <p>15 followed at EOIR to request removal of an employee.</p> <p>16 <b>A Correct, sir.</b></p> <p>17 Q This exhibit is not an example of a request</p> <p>18 to remove an employee?</p> <p>19 <b>A No, sir. This was October 1st after we had</b></p> <p>20 <b>already been informed that Ashok had resigned.</b></p> <p>21 Q Do you know whose idea it was to have this</p> <p>22 written?</p>



Transcript of Howard Myatt  
Conducted on March 28, 2018

18 (69 to 72)

69	<p>1 <b>A No, sir, I don't remember.</b></p> <p>2 Q I am handing you Exhibit 6, a one-page</p> <p>3 document with production number PAI00357 in the lower</p> <p>4 right-hand corner. Please let me know when you have</p> <p>5 read it, and we will talk about it.</p> <p>6 <b>A Okay. Whenever you are ready, sir.</b></p> <p>7 Q That is Exhibit Number 6.</p> <p>8 Have you seen Exhibit 6 before?</p> <p>9 <b>A No, sir.</b></p> <p>10 Q Exhibit 6, which you have read, that is</p> <p>11 Camber's October 17th letter to Mr. Pai regretting to</p> <p>12 inform him that his employment will be terminated</p> <p>13 effective October 31st.</p> <p>14 MR. ORTBALS: Objection to the form. The</p> <p>15 witness lacks personal knowledge. You can answer.</p> <p>16 BY MR. STERN:</p> <p>17 Q 2014 -- I'm reading from the first</p> <p>18 sentence. "Due to the customer changing the</p> <p>19 requirements for your position."</p> <p>20 MR. ORTBALS: Same objection; the witness</p> <p>21 lacks personal knowledge about this document, but you</p> <p>22 can answer the question, sir.</p>	7
70	<p>1 BY MR. STERN:</p> <p>2 Q Is that what --</p> <p>3 <b>A That is what the letter says, yes, sir.</b></p> <p>4 Q It does not say Mr. Pai has retired, does</p> <p>5 it?</p> <p>6 <b>A No, sir, it does not.</b></p> <p>7 Q It does not say he has resigned?</p> <p>8 <b>A No, sir, it does not.</b></p> <p>9 Q Did EOIR change the requirements for</p> <p>10 Mr. Pai's position?</p> <p>11 <b>A The short answer would be no.</b></p> <p>12 Q Did the PM ever ask EOIR to change the</p> <p>13 requirements for Pai's position?</p> <p>14 <b>A Not that I can recall, sir.</b></p> <p>15 Q The backfill for Mr. Pai, was it the</p> <p>16 highest ISA classification in the contract documents</p> <p>17 that you were produced?</p> <p>18 <b>A So yes. The ISA series tops out at three.</b></p> <p>19 <b>That would be a senior systems analyst.</b></p> <p>20 Q EOIR did not change the stated skills and</p> <p>21 requirements for the ISA3 as depicted in Exhibit 7 to</p> <p>22 your deposition?</p>	72
	<p>1 <b>A No, sir, we did not.</b></p> <p>2 Q In the backfilling of Ashok Pai's position,</p> <p>3 EOIR did not downgrade it to ISA1 or 2?</p> <p>4 <b>A No, sir, we did not.</b></p> <p>5 Q Did the PM, Mr. Khalil, ever approach you,</p> <p>6 EOIR, to support training for any of the employees,</p> <p>7 Camber or Avaya employees on the project by making</p> <p>8 their time for certain training billable?</p> <p>9 <b>A Yes, sir, on several occasions.</b></p> <p>10 Q Was that kind of support ever approved by</p> <p>11 you?</p> <p>12 <b>A Yes, sir.</b></p> <p>13 Q Did the PM ever discuss with you any</p> <p>14 support for training of Mr. Pai by attendance of a</p> <p>15 SharePoint conference in 2014?</p> <p>16 <b>A I cannot remember. It's possible, though.</b></p> <p>17 Q Any discussion with Mr. Pai regarding his</p> <p>18 attendance at a 2014 SharePoint conference?</p> <p>19 <b>A Not that I can remember, sir.</b></p> <p>20 Q Any discussion with Mr. Khalil about</p> <p>21 Mr. Pai's attendance at a SharePoint conference in</p> <p>22 2014?</p>	
	<p>1 <b>A Not that I can remember.</b></p> <p>2 Q Did Camber ever mention to you anything</p> <p>3 about terminating Mr. Pai?</p> <p>4 <b>A No, sir.</b></p> <p>5 MR. STERN: I have no further questions. I</p> <p>6 will reserve follow-up questions following your</p> <p>7 questions, if any.</p> <p>8 CROSS-EXAMINATION</p> <p>9 BY MR. ORTBALS:</p> <p>10 Q Was Ashok Pai working on the EOIR project</p> <p>11 as a DotNet/SharePoint developer or as a software</p> <p>12 systems architect?</p> <p>13 <b>A DotNetSharePoint developer.</b></p> <p>14 Q And how are you aware that that was his job</p> <p>15 title within Camber?</p> <p>16 <b>A I would not be. I have no idea what titles</b></p> <p>17 <b>Camber uses. Just a labor category that they charge</b></p> <p>18 <b>me.</b></p> <p>19 Q What labor category was Ashok Pai under?</p> <p>20 <b>A Information Systems Analyst 3.</b></p> <p>21 Q How are you able to recall that?</p> <p>22 <b>A That would be on the invoices that I</b></p>	

Transcript of Howard Myatt  
Conducted on March 28, 2018

19 (73 to 76)

<p style="text-align: right;">73</p> <p>1 reviewed prior to this meeting. Technically, the</p> <p>2 budget sheets, which breaks out individual labor</p> <p>3 categories for each individual.</p> <p>4 Q When did you review those invoices or</p> <p>5 budget sheets?</p> <p>6 A Prior to sending them to satisfy the</p> <p>7 subpoenas.</p> <p>8 Q Prior to sending them internally within</p> <p>9 DOJ?</p> <p>10 A Yes, sir.</p> <p>11 Q All right. So you don't know whether those</p> <p>12 were ultimately then produced under the subpoena. Is</p> <p>13 that right?</p> <p>14 A That would be correct, sir.</p> <p>15 Q It's up to -- DOJ Legal ultimately handles</p> <p>16 the production of those documents in response to a</p> <p>17 subpoena. Is that right?</p> <p>18 A Yes, sir.</p> <p>19 Q ISA P -- I'm sorry. An ISA3 bills less to</p> <p>20 the government than a program manager.</p> <p>21 Does that look right?</p> <p>22 A Hang on. Let me check. Yes, sir. That</p>	<p style="text-align: right;">75</p> <p>1 SharePoint or DotNet?</p> <p>2 A More than on the C# DotNet coding but the</p> <p>3 app he was working on was sitting on top of a</p> <p>4 SharePoint platform.</p> <p>5 Q Within the course of the program with EOIR,</p> <p>6 did the app being developed ever change in focus from</p> <p>7 primarily SharePoint-based to more DotNet-based?</p> <p>8 MR. STERN: Objection to the form.</p> <p>9 A Yes, but I can't remember exactly when that</p> <p>10 shift happened.</p> <p>11 BY MR. ORTBALS:</p> <p>12 Q During the course of that shift, did you</p> <p>13 have discussions with Atif Khalil about the need for</p> <p>14 more DotNet experience as opposed to SharePoint</p> <p>15 experience?</p> <p>16 A I don't remember a specific discussion, but</p> <p>17 it is highly probable that we did.</p> <p>18 Q It wouldn't be unusual for you and Atif to</p> <p>19 have discussion about the changing needs of the makeup</p> <p>20 of the team?</p> <p>21 A Requirements discussions are ongoing, yes.</p> <p>22 Q As the requirements change, the needs of</p>
<p style="text-align: right;">74</p> <p>1 would be correct.</p> <p>2 Q So would you expect an employee billing</p> <p>3 less -- at a less hourly rate to be paid less than a</p> <p>4 program manager?</p> <p>5 A That sounds reasonable, but you have no</p> <p>6 idea what Camber pays their employees. I just know</p> <p>7 what they bill the government.</p> <p>8 Q Did Mr. Pai's duties primarily focus on</p> <p>9 performing SharePoint architecture work?</p> <p>10 MR. STERN: Objection to the form of the</p> <p>11 question.</p> <p>12 BY MR. ORTBALS:</p> <p>13 Q You can answer the question, sir?</p> <p>14 MS. COLEMAN: Do you understand it?</p> <p>15 A Could you clarify that just a little bit?</p> <p>16 You mean his duties on this particular contract and</p> <p>17 project working for the government?</p> <p>18 BY MR. ORTBALS:</p> <p>19 Q Correct.</p> <p>20 A He was engaged as a software developer</p> <p>21 working on both DotNet and SharePoint applications.</p> <p>22 Q Did he have a particular focus between</p>	<p style="text-align: right;">76</p> <p>1 the project change?</p> <p>2 A Correct.</p> <p>3 Q Would it be unusual in any way for the</p> <p>4 contractor, in this case Atif Khalil, to make</p> <p>5 recommendations to you as to how the contractor felt it</p> <p>6 could best fulfill the needs of the projects?</p> <p>7 MR. STERN: Objection to the form of the</p> <p>8 question, compound.</p> <p>9 A Could you narrow that down a little bit?</p> <p>10 BY MR. ORTBALS:</p> <p>11 Q Well, I mean, let's stick with the idea of</p> <p>12 the focus of the project kind of shifting from</p> <p>13 SharePoint to DotNet.</p> <p>14 Would it be unusual in any way for Atif to</p> <p>15 bring you proposed recommendations about how to help</p> <p>16 make that shift happen?</p> <p>17 A By "recommendations," do you mean in the</p> <p>18 form of staffing changes?</p> <p>19 Q Correct. Or skill sets needed for the</p> <p>20 makeup of the team in relation to skill set?</p> <p>21 MR. STERN: Objection as to form.</p> <p>22 A That would -- that would happen</p>



April 9, 2018

Maria N. Coleman, Esquire  
Office of General Counsel  
5107 Leesburg Pike  
Falls Church, VA. 22041

Re: Deposition of **Howard Myatt**  
Date: 3/28/2018  
Case: EEOC -v- Camber Corp.

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Dear Sir/Madam,

Attached please find the above-referenced deposition transcript. If applicable, signature is required within 30 days from the date of this letter.

In accordance with the disposition of signature at the deposition or the pertinent jurisdictional rules, the deponent should follow these instructions to complete the Errata Sheet:

(1) Read the transcript and indicate any corrections or changes in ink on the enclosed Errata Sheet. Please include page and line numbers. If more space is needed for corrections, please use a blank sheet of paper. If no corrections or changes are necessary, please indicate "no corrections" or "no changes" on the Errata Sheet.

(2) Sign and date the Errata Sheet and Acknowledgement of Deponent/Affiant pages.


(3) Please return the executed Errata Sheet and Acknowledgement pages to the address indicated below, submit via fax (888-503-3767) or email ([transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)).

A copy of this letter and the returned signature pages, if any, will be distributed to counsel.

Sincerely,

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Re: Deposition of **Howard Myatt**  
Date: 3/28/2018  
Case: EEOC -v- Camber Corp.  
Return to: transcripts@planetdepos.com

ACKNOWLEDGMENT OF DEPONENT

I, Howard Myatt, do hereby acknowledge that  
I have read and examined the foregoing testimony, and  
the same is a true, correct and complete  
transcription of the testimony given by me and any  
corrections appear on the attached Errata sheet  
signed by me.

4-20-18

(Date)

Howard Myatt

(Signature)